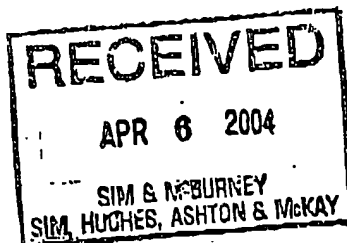


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April 1, 2004

**Application No. : 2,417,991**  
**Owner : MATSUSHITA GRAPHIC COMMUNICATION SYSTEMS, INC.**  
**Title : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT CHANNEL PROBE**  
**Classification : H04L-29/02**  
**Your File No. : 9116-130 MIS:GDK:sd**  
**Examiner : C. Ebsen**

**YOU ARE HEREBY NOTIFIED OF :**

- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*;
- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SECTION 29 OF THE *PATENT RULES*.

**IN ORDER TO AVOID MULTIPLE ABANDONMENTS UNDER PARAGRAPH 73(1)(A) OF THE PATENT ACT, A WRITTEN REPLY TO EACH REQUISITION MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.**

This application has been examined taking into account applicant's correspondence received in this office on December 17, 2003 and January 12, 2004.

The number of claims in this application is 34.

The examiner has identified the following defects in the application:

A further search of the prior art has revealed the following:

References Applied: (Also cited in the European Search Report)

European Patent Office Application

820168

Jan. 21, 1998

H04L 27/00

Wu

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Wu discloses a modem which can operate either in voice band or in higher frequency bands, and which supports several modulation types, such as multi-carrier modulation, or carrier-less amplitude/phase modulation. The modem uses a digital signal processor, so that different ADSL modulation types can be implemented using the same hardware. Startup and negotiation procedures are also provided. The startup for carrier-less amplitude/phase modulation allows reliable synchronisation over channels, such as the standard telephone twisted pair lines, which suffer from severe amplitude distortion. In a multi-carrier system, the transmitter contains a filter, which is adapted to reduce the effective length of the channel impulse response: the filter uses a combination of convolution in the time domain, and multiplication in the frequency domain, so as to reduce the algorithmic complexity.

### **Anticipation**

Claims 1, 7, 13, 22, and 29 do not comply with Paragraph 28.2(1)(b) of the Patent Act. Wu disclosed the claimed subject matter before the claim dates.

Wu discloses a negotiation data transmitter, an identification field, and an information field, all of which can be seen in these claims.

### **Incomplete Claims**

Claims 1, 7, 13, 22, and 29 are indefinite and do not comply with Subsection 27(4) of the Patent Act. To define the invention distinctly and in explicit terms, it is required that sufficient elements be recited for operability. A claim may be as narrow as the applicant wishes within the scope of the invention disclosed. However, to define the invention distinctly and in explicit terms, it is required that sufficient elements be recited for operability. The inventive features must appear in each claim. A claim must define a minimum of two elements, at least broadly. In these claims the negotiation data transmitter is the only element, and this element is simply further qualified in these claims.

In view of the foregoing defects, the applicant is requisitioned, under Subsection 30(2) of the Patent Rules, to amend the application in order to comply with the Patent Act and the Patent Rules or to provide arguments as to why the application does comply.

Under Section 34 of the Patent Rules, any amendment made in response to this requisition must be accompanied by a statement explaining the nature thereof, and how it overcomes each of the above objections.

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Under Section 29 of the *Patent Rules*, applicant is requisitioned to provide an identification of any additional prior art cited in respect of the United States and European Patent Office applications describing the same invention on behalf of the applicant, or on behalf of any other person claiming under an inventor named in the present application and the patent numbers, if granted. Amendment to avoid references cited abroad may make further action unnecessary.

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819-997-2313  
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